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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/613,059	07/02/2003	James M. Sangroniz	100110746-1	6668

22879 7590 09/05/2006

HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

ROSE, HELENE ROBERTA

ART UNIT	PAPER NUMBER
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2163

DATE MAILED: 09/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief	Application No. 10/613,059	Applicant(s) SANGRONIZ, JAMES M.	
	Examiner Helene Rose	Art Unit 2163	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 28 August 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-9, 15-26 and 30-33.
Claim(s) withdrawn from consideration: 10-14 and 27-29.

**NO AMENDMENTS WERE FILED
ON 8/28/06**

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.

Continuation of 11. does NOT place the application in condition for allowance because:

In response to applicant arguments on pages 8-15 submitted on 8/28/06, pertaining to 35 USC 103 rejection, prima facie case of obviousness, applicants arguments are not persuaded.

Also, in regards to applicants arguments on page; pertaining to limitation of the processing circuitry, the final office action on page 4, does state "Volkoff does disclose wherein a transformed request is done, but is silent with respect to a main or central processor section configured to process the request using the predefined rules data and wherein the transformation is done WITHOUT COMMUNICATION WITH ONE OR MORE WORKFLOW PROCESSING DEVICES.


Examiner conveys that the main or central processor is disclosed within Volkoff invention (page 13, paragraph [0139]) configured to process the request using predefined rules data (page 1, paragraph [0009]; page 6, paragraph [0065] and page 5, paragraph [0051], Volkoff), but Volkoff does not disclose wherein the transformation is done WITHOUT COMMUNICATING WITH ONE OR MORE WORKFLOW PROCESSING DEVICES.

Applicant argues that "Yalcinalp does not disclose wherein transformation is done without communicating with one or more workflow processing devices". Examiner disagrees, wherein Yalcinalp does disclose transformation without communicating with one or more workflow processing devices (REFER to the final office action, examiner response on page 4 and column 4, lines 63-66 and column 11, lines 19-21, Yalcinalp).

In regards to applicants arguments on page 10; which states Yalcinalp reference does not disclose any workflow devices, nor any other such interconnected devices with the application server interoperates to achieve a user desired product (see Figure 1, diagram 104, wherein the application receives client request and provides XML documents to those clients which is equivalent to achieving a user desired product, wherein a response is given to a request, wherein an workflow devices is equivalent to a plurality of task being performed (REFER to Figure 2, diagram 205, wherein the XSLT processor interfaces with multiple modules in order to process an style sheet, wherein modules are defined to be individual units of information or instructions.

In regards to applicants arguments on page 11; wherein Yalcinalp reference does not disclose any such workflow processing HARDWARE DEVICES. Examiner states the Yalcinalp does discloses workflow processing hardware devices, i.e. external devices which is equivalent to the component module, diagram 225, which contains external components that perform different task (column 5, lines 51-55 and column 6, lines 62-66).

In regards to applicants arguments on page 13; which states: There is no teaching or suggestion that each of the associated style sheets, diagram 220, corresponds to a different subset of product properties of the user request.


DON WONG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100